

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ERNEST EDWARD GAINES
#1364192,

Petitioner,

v.

DIRECTOR, TDCJ-CID

Respondent.

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Civil Action No. 3:24-CV-0457-x

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE
JUDGE

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. (Doc. No. 17). Magistrate Judge Renee Harris Toliver recommends dismissing Petitioner Ernest Edward Gaines's habeas petition with prejudice. Gaines filed an objection. (Docs. 25, 27). Gaines objects on the grounds that he is actually innocent of the crime of which he was convicted and sentenced.

The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. Accordingly, the Court **DISMISSES WITH PREJUDICE** Gaines's habeas petition.

IT IS SO ORDERED this 13th day of August, 2024.

A handwritten signature in black ink, appearing to read "Brantley Starr", written over a horizontal line.

BRANTLEY STARR
UNITED STATES DISTRICT JUDGE